

# Notice of Allowability

Application No.

09/548,734

Examiner

George Eng

Applicant(s)

STRUBBE ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/15/2004.
2. ☒ The allowed claim(s) is/are 1-5, 7-16 and 18-25.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 9/1/2004.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**GEORGE ENG**  
**PRIMARY EXAMINER**

### EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the corrected or substitute drawings filed 4/23/2004 has been approved. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

2. Claims 1-5, 7-16 and 18-25 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Applicant's invention is drawn to a video processing system for tracking a moving person or other object of interest using a combined audio-video tracking system (i.e., a video processing in a video conference system including an audio-video tracking system for controlling the settings of a pan-tilt-zoom camera, wherein the audio-video tracking system comprises an audio locator, a video locator, and a set of rules for determining which settings of the camera are adjusted based on tracking outputs of the audio locator and the video locator, thereby allowing an autonomously-moving camera to effectively become the moderator of a video conference).

Applicant's independent claim 12 recites, *inter alia*, an apparatus for tracking an object of interest in a video processing system with a structure as defined in the specification (pages 7-14) including a processor coupled to the camera and operative to process an audio locator output

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from an audio input signal and a video locator output from a video input signal derived partly from movement of the object, each indicative of a location of the object of interest for particular ones of given measurement intervals, and to apply a set of confidence level rules to each of the audio locator output and the video locator output to determine which one of the audio locator output and the video locator output has a higher confidence level, whereby the one having the highest confidence level will be utilized independently of the other to adjust a setting of the camera based on the given measurement interval. Applicant's claim 12 comprises a particular combination of elements, which is neither taught nor suggested by the prior art.

Applicant's independent method claims 1 and 23 each recite, *inter alia*, generating for particular ones of successive plural measurement intervals an audio locator output from an audio input signal and a video locator output from a video input signal, each indicative of a location of the object of interest, applying a set of confidence level rules to each of the audio locator output and the video locator output to determine which one of the audio locator output and the video locator output has a higher confidence level, whereby the one having the highest confidence level will be utilized independently of the other to adjust a setting of the camera during each one of said successive plural measurement intervals, and adjusting the camera setting utilizing only the selected one of the audio locator output and the video locator output in accordance with the applied set of confidence level rules. These steps are neither taught nor suggested in the prior art.

Accordingly, Applicant's claims are allowed for these reasons and for the reasons recited in Applicant's Amendments filed 4/23/2003, 11/13/2003, 2/23/2004, and 7/15/2004.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

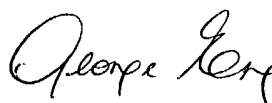
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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



George Eng  
Primary Examiner  
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